

Claim Objections:

Claim 11 has been objected under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. In response to the objection Applicants submit that claim 11 claims the nucleic acid sequences of the amino acid sequences of claim 10. Applicants respectfully submit that claims of similar form and scope have been found allowable. See for example US Patent Nos. 6,514,729; 5,916,769; 5,989,866; 6,004,780; 6,255,062; 6,465,235; and 6,509,170.

Claim 10 has been objected because it refers to amino acid sequences of Figures without references to the SEQ ID NOs. Claim 10 has been amended to correct the typographical omissions and reference the SEQ ID NOs. Support for the amendment to this claim may be found in the paper submitted on June 17, 2002, in response to "Restriction Requirement." Additional support may be found in the "Sequence Listing" previously submitted in this case. No new matter has been added by this amendment.

In light of the foregoing, Applicants request the reconsideration and withdrawal of the objections to the claims.

REMARKS

Claims 11-17, 22 and 33-38 and are pending in this application. Claims 3, 7, 10, and 30-32 have been canceled without prejudice or disclaimer and replaced by new claims 33-38.

Support for the new claims may be found in cancelled claims 3, 7, 8, 9, 10, 11, and 30-32 and in the Specification at page 2, lines 12-13; page 5, lines 16-23; page 6, lines 25-29; page 5, lines 30-31; page 6, lines 1-8 page 36, lines 16-22; page 37, lines 1-8 and lines 18-21; page 38, lines 1-7 and lines 18-20; page 40, lines 1-5; page 47, line 29, ending on page 48, line 2; Figures 1B and 5C (SEQ ID NO: 23).

The rejection of all pending claims was maintained in the Advisory Action and in particular claims 3 and 7 were rejected for not resolving the rejections of record. Claims 3 and 7 have been rewritten as new claims 33 and 34 in the form suggested by the Examiner in the Advisory Action.

In addition, the expression "of at least one amino acid residue" has also been placed in the context of the Examiner's recommended claim structure. Applicant respectfully submits that in this context the claims are not broadened requiring application of a new rejection.

Applicants respectfully request the reconsideration and withdrawal of the rejection of the claims in light of the above-amendments to the claims.

Applicants submit that in light of the above amendments and arguments, the claims are now in condition for allowance and an early notification of such is respectfully solicited. Please direct any calls in connection with this application to the undersigned at (626) 737-8019.

Dated: September 24, 2003
Xencor
111 W. Lemon Avenue
Monrovia, California 91016
Tel: (626) 737-8040; Fax: (626) 256-3562

Respectfully submitted,

By: 

Joyce L. Morrison, Reg. No. 31,902

**RECEIVED
CENTRAL FAX CENTER**

SEP 25 2003

OFFICIAL